Notice of Allowability	Application No.	Applicant(s)	
	10/622,388	GRAUZER ET AL.	
	Examiner	Art Unit	
	Robert Mosser	3714	
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.31	S (OR REMAINS) CLOSED in) or other appropriate common RIGHTS. This application is some the common of the commo	n this application. If not include unication will be mailed in due of	ed course. THIS
1. \boxtimes This communication is responsive to <u>the Amendment filed</u>	1 April 2 nd , 2007.		
2. The allowed claim(s) is/are <u>13-18 and 20-28</u> .			
 Acknowledgment is made of a claim for foreign priority units at the priority documents have a complete a complete the priority documents have a complete the prio	re been received. re been received in Application rece	on No d in this national stage applicate a reply complying with the requestion and the replace of the complying with the requestion of the drawings in the front (not the	uirements OTICE OF
DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT	osit of BIOLOGICAL MAT	ERIAL must be submitted. N	lote the
Attachment(s) 1. Notice of References Cited (PTO-892)		formal Patent Application	
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	Paper No.	ummary (PTO-413), /Mail Date <u>ろしみ</u> しつ	
Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date	7. 🛭 Examiner's	Amendment/Comment	•
Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. 🛭 Examiner's	Statement of Reasons for Allov	wance
	9. 🗌 Other] Other	

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark A. Litman on May 22nd, 2007.

The application has been amended as follows:

In claim 13, insert the phrase, -52 card - after the word "complete" and before the word "deck" on the 5th line of the claim;

In claim 13, replace the term, - hands - as found on line 14 of the claim with the phrase "at least one hand";

Cancel claim 19;

In claim 28, insert the phrase, -previously unread - after the word "only" and before the word "spent" on the 2nd line of the claim; and

In claim 28, insert the phrase, -previously unread- after the word "not" and before the word "spent" on the 2nd line of the claim.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The prior art of record when considered alone or in combination does not fairly teach or suggest the method including the identification of a group of spent cards less then a 52 deck of cards only used in a round of play, the identification of the composition of card hands included the group of spent cards, the movement of the cards one at a time from the bottom of a stack of spent cards, and the transmission of a signal identifying the cards as identified to a processor.

The previously applied prior art of record Purton, (WO 00/51076), and Soltys et al (US 6,638,161) though teaching aspects of the invention as previously applied fail to teach the claimed invention as a whole due to issues of improper hindsight. Specifically though the Purton device teaches the inclusion of the method step directed to the movement of the cards, the device of Soltys obviates the need for this feature through not requiring the movement of the cards. Hence it is the Examiner's determination that while the structure of the claimed invention falls within the realm of obviousness through the combination of Purton and Soltys, that the method as claimed is not fairly taught nor suggested by Purton and Soltys and further that the presently claimed method could only be reconstructed with reliance on the references of Purton and Soltys through incorporation of improper hindsight.

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Statement of Reasons for Allowance."

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Mosser whose telephone number is (571)-272-4451. The examiner can normally be reached on 8:30-4:30 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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